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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8133

UNITED STATES OF AMERICA,) Magistrate's Case No.:
) Plaintiff,) COMPLAINT FOR VIOLATION OF
) v.) Title 21 U.S.C. § 841(a)(1)
) Juan Bautista BELTRAN-BELTRAN) Possession of a Controlled
)) Substance with Intent to
) Defendant.) Distribute

12 The undersigned complainant duly sworn states:

13 That on or about February 12, 2008, within the Southern
14 District of California, defendant Juan Bautista BELTRAN-BELTRAN did
15 knowingly and intentionally possess, with intent to distribute
16 approximately 1.54 kilograms (3.4 pounds) of methamphetamine,
17 Schedule II Controlled Substance, in violation of Title 21, United
18 States Code, Section 841(a)(1).

20 And the complainant states that this complaint is based on the
21 attached Statement of Facts, which is incorporated herein by
22 reference. 

Cynthia M. Barajas, Task Force Officer
Drug Enforcement Administration

Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

C.S.W.

1 UNITED STATES OF AMERICA
2 v.
2 Juan Bautista BELTRAN-BELTRAN

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4 STATEMENT OF FACTS

5 This Statement of Facts is based on the reports, documents,
6 and notes furnished to Drug Enforcement Administration Task Force
7 Officer Cynthia M. Barajas.

8 On February 12, 2008, at approximately 9:00 a.m. U. S. Border
9 Patrol (USBP) Agents S. Olivares and D. Gonzalez were assigned to
10 the Highway 86 Checkpoint near Westmorland, California. Agent
11 Gonzalez was conducting immigration inspection and noticed a
12 burgundy Honda motorcycle approach his location. Agent Gonzalez
13 identified himself as United States Border Patrol Agent, and
14 contacted the driver of the motorcycle who was later identified
15 himself as Juan Bautista BELTRAN-BELTRAN. BELTRAN who was driving
16 a Honda AspenCade Motorcycle, bearing Baja California Mexico
17 license plate A735J, identified himself as a Mexican citizen and
18 presented Agent Gonzalez with a valid Border Crossing Card.
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20 Agent Olivares with his service canine approached BELTRAN's
21 motorcycle in the secondary inspection area. The canine alerted to
22 the front head light of the motorcycle. BELTRAN was asked to step
23 inside the Checkpoint and was escorted by Agent Lopez. Agent
24 Olivares continued to conduct a K-9 sniff on the front left side of
25 the motorcycle near the gas tank was a storage compartment. Agent
26 Olivares removed the four screws of the compartment and pulled out
27 a total of three cylinder shaped packages wrapped in what appeared
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to be carbon paper, and with black electrical tape.

1 Agent Miranda tested a package with a Narcotics Identification
2 System, which tested positive for the properties of
3 methamphetamine. The total weight of the three (3) packages was
4 1.54 kilograms (3.4 pounds) value at \$108,800.00.

5 The Drug Enforcement Administration was notified and
6 responded. Task Force Officer C. Barajas and M. Grossman arrived at
7 the Highway 86 Checkpoint. Task Force Officer C. Barajas read
8 BELTRAN his Miranda warnings verbatim in the Spanish language from
9 a DEA 13A card as witnessed by Agent Grossman. BELTRAN stated he
10 understood his rights and was willing to answer questions without
11 the presence of an attorney.

13 BELTRAN admitted knowledge of the narcotics concealed within
14 the motorcycle. BELTRAN stated he was to be paid \$1,000.00 for
15 transporting the narcotics. BELTRAN stated after he was taken in
16 secondary by the Border Patrol Agents and saw the packages he knew
17 that the product was ICE and not marijuana.

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